

REMARKS

Favorable reconsideration and allowance of this application are requested.

I. Filing of Request for Continued Examination

As a procedural note, the present amendment is being filed concurrently with a formal Request for Continued Examination (RCE) under 37 CFR §1.114. Accordingly withdrawal of the "finality" of the February 13, 2008 Official Action is in order so as to allow entry and consideration of the amendments and remarks presented herewith.

II. Discussion of Claim Amendments

By way of the amendment instructions above, claim 1 has been amended so as to delete reference to polyester and copolyester from the selection of materials that react with the diisocyanate. Furthermore, claim 1 now recites that the low molecular weight polyamide comprises amino end groups.

Therefore, following entry of this amendment, amended versions of claims 1-6 will be pending herein for which favorable reconsideration is requested.

III. Response to Art-Based Issues

Claims 1-6 attracted rejections under 35 USC §103(a) as allegedly "obvious" and hence unpatentable over Nelb, II et al '094 (hereinafter D1) in view of Kolouch et al '167 (hereinafter D2) and vice versa. Applicants respectfully disagree.

D1 mentions the reaction of polyamides, copolyamides, or polyester-amides with unblocked diisocyanates or blocked diisocyanates. D1 discloses increasing the molecular weight of the polymers by use of diisocyanate as a chain extender which reacts ". . . with terminal **carboxylic** acid groups".

D2 mentions reactions of unblocked diisocyanates with PET and blends of PET with compatible polymers. The starting resin PET has hydroxyl and carboxyl groups.

D1 is silent about reaction of diisocyanate with a lower molecular weight polymer comprising amino end groups. A process wherein the end groups are carboxyl groups will cause an undesired formation of carbon dioxide as a by-product, as stated in the Statutory Declarations submitted with the applicants' amendment dated April 25, 2007 (see especially the Statutory Declaration of inventor Loontjens). The lower molecular weight polymer without amino end groups could result in cross-linking (col. 8, l. 63-65), unlike the process according to the present claim 1 which results in a linear high molecular weight polymer (p. 6, l. 8-9). Furthermore, the present invention which employs a polymer having amino end groups results in a very fast process. A stable high value of the melt viscosity was obtained after only 2 minutes. (See, p.6, l. 1-4).

The results of the present invention that substantially no branching, if any, occurs, let alone excessive cross-linking, and that chain extension resulting in a colorless, stable linear polymer with increased molecular weight is obtained in a very short time, is highly unexpected.

Moreover, D2 is silent about the use of blocked diisocyanates. And D2 most certainly is also silent about the lower molecular weight polymer comprising amino end groups.

Thus, implementing the teachings of D2 in D1 or vice versa will not lead to the process according to the present invention as defined in pending claim 1. Therefore the amended claims 1-6 presented above are non-obvious over D1 in view of D2 and vice versa.

Withdrawal of the rejections advanced in the official action of February 13, 2008 and early passage of this application to allowance are therefore solicited.

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IV. Conclusions

Every effort has been made to advance prosecution of this application to allowance. Therefore, in view of the amendments and remarks above, applicants suggest that all claims are in condition for allowance and Official Notice of the same is solicited.

Should any small matters remain outstanding, the Examiner is encouraged to telephone the Applicants' undersigned attorney so that the same may be resolved without the need for an additional written action and reply.

An early and favorable reply on the merits is awaited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Bryan H. Davidson/
Bryan H. Davidson
Reg. No. 30,251

BHD:bcb
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100